

ROW Processing Fee Category Determination Decision For FLPMA and MLA Rights-of-Way

Applicant: _____

Address: _____

Agent: _____

Address _____

Application For: _____

Location: _____

Pre-Application Meeting Held:	<input type="checkbox"/> No	<input type="checkbox"/> Yes	_____ (date)
Land Use Plan Conformance?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	

Land Use Plan Conformance? No Yes

Estimated Processing Requirements:
 Type of ROW: _____ FLPMA _____ MLA
 NEPA Action Required: _____ EIS _____ EA _____ DNA _____ CE/CX

NEPA Action Required: _____ EIS _____ EA _____ DNA _____ CE/CX _____

NEPA Action Required: _____ EIS _____ EA _____ DNA _____ CE/CX _____

Personnel Needed for Processing	Estimated Processing Hours
Realty Specialist/Land Law Examiner	_____
Cultural/Paleontological Resources	_____
T&E Species	_____
Wildlife/Fisheries	_____
Air/Water/Soils	_____
Recreation/Visual	_____
Range	_____
Fluids/Minerals	_____
Administration/Contracting	_____
Manager	_____
Other _____	_____
Other _____	_____
TOTAL HOURS	_____

Estimated Processing Hours

Realty Specialist/Land Law Examiner _____

Cultural/Paleontological Resources

T&E Species	
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Wildlife/Fisheries

Air/Water/Soils

Recreation/Visual

Range _____

Fluids/Minerals

Administration/Contracting _____

Manager _____

Other _____

Other _____

TOTAL HOURS _____

TOTAL HOURS

The appropriate Processing Category for this application is Category_____. The Processing fee for this Category is \$_____. Processing fees for Categories 1-4 are non-refundable. See enclosed table for Category definitions and fee schedule.

Prepared By: _____

Realty Specialist

Date

Approved By: _____

Authorized Officer

Date

Realty Specialist

Realty Specialist

Date

Date _____

Authorized Officer

Authorized Officer

Date

Date _____

Appeal Information

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Enclosure
BLM Form 1842-1